

AMENDMENTS TO THE DRAWINGS

The attached sheet(s) of drawings includes changes to Figures 1 and 2.

REMARKS

The drawings have been objected to in the Office Action. Replacement drawings are hereby attached.

Claims 1, 2, 6, 7, 10, 11 and 13 have been rejected under 35 USC 102(b) as anticipated by Majima. The rejection is respectfully traversed.

Majima fails to disclose an evaluation unit having a first processing unit which has inputs that are connected to the pressure sensor and the temperature sensor and which determines, as a function of the pressure and temperature in the fuel container, a gas emission characteristic value representing the gas emission behavior of the fuel, and the evaluation unit comprises a second processing unit which has an input that is connected to the first processing unit and which determines the quality value of the fuel as a function of the gas emission characteristic value, as required by the claimed invention (as amended). The Examiner generally remarks that Figures 13 and 14, and column 9, line 1 through column 10, line 21, of the Majima specification disclose these features (previously in claims 2 and 7, now canceled and incorporated into claims 1 and 6, respectively). However, a careful review of the reference fails to show the above-identified limitations. Specifically, there is no teaching of a gas emission characteristic value which represents the gas emission behavior of the fuel, nor is there a determination of the quality value of the fuel as a function of the gas emission characteristic value. Rather, Majima discloses detecting fuel pressure, using a fuel property, which is related to pressure increase and decrease corresponding to consumed fuel amount. Applicant's respectfully request that the Examiner detail where in the specification Majima discloses these features, or withdraw the rejection of record.

Claims 3-5, 8, 9 and 12 are allowable if rewritten in independent form and to include any limitations in the base claim.

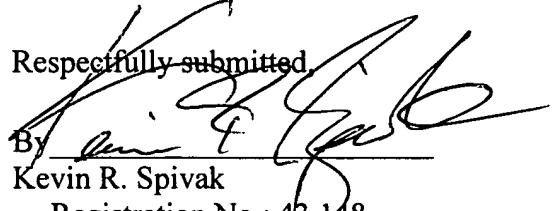
In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is

determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no.449122073100.

Dated: February 6, 2006

Respectfully submitted,

By 

Kevin R. Spivak

Registration No.: 43,148
MORRISON & FOERSTER LLP
1650 Tysons Blvd, Suite 300
McLean, Virginia 22102
(703) 760-7762

App No.: New U.S. Appln. Docket No.: 449122073100

Inventor: Matthias WIESE et al.

Title: DEVICE FOR DETERMINING FUEL QUALITY AND
CORRESPONDING METHOD

ANNOTATED SHEET

Sheet 1 of 2

1/3

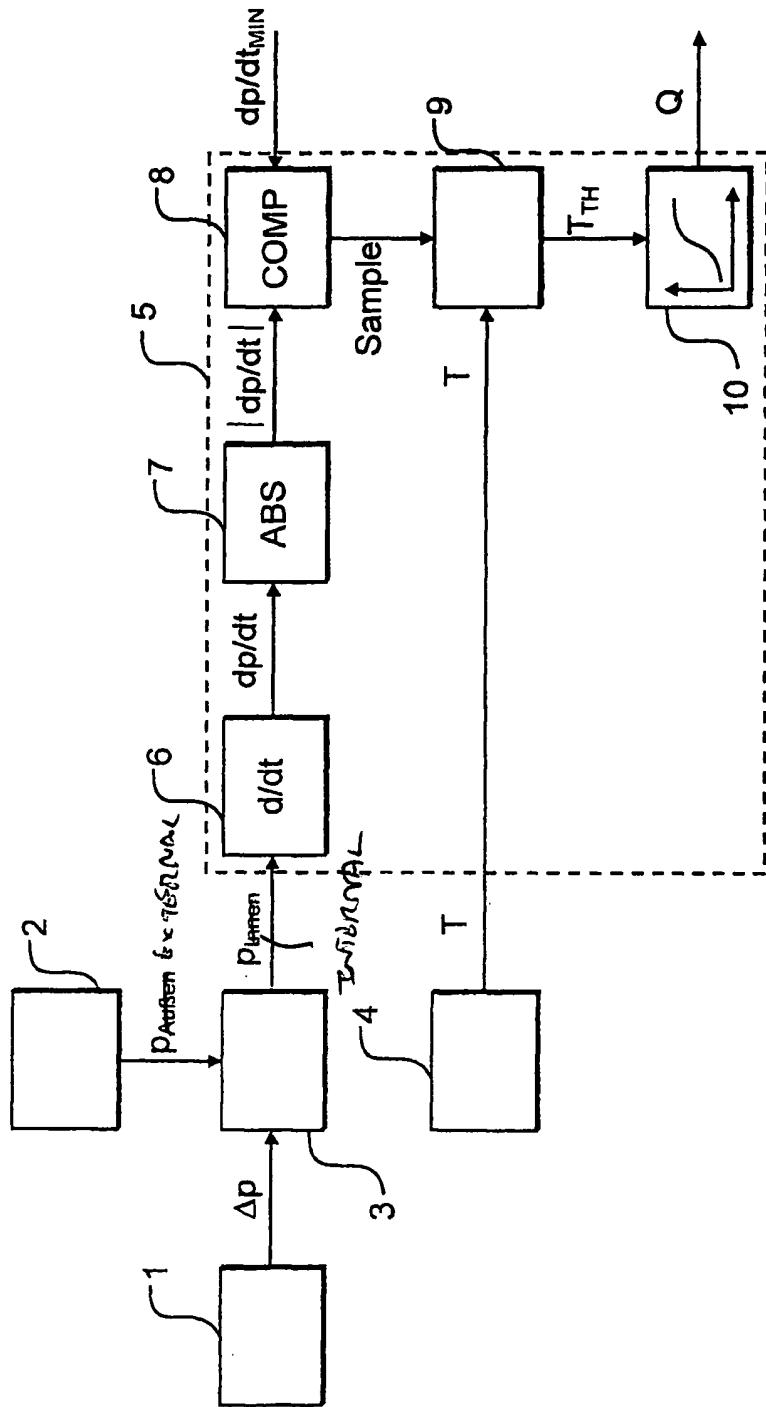


Fig. 1



2/3

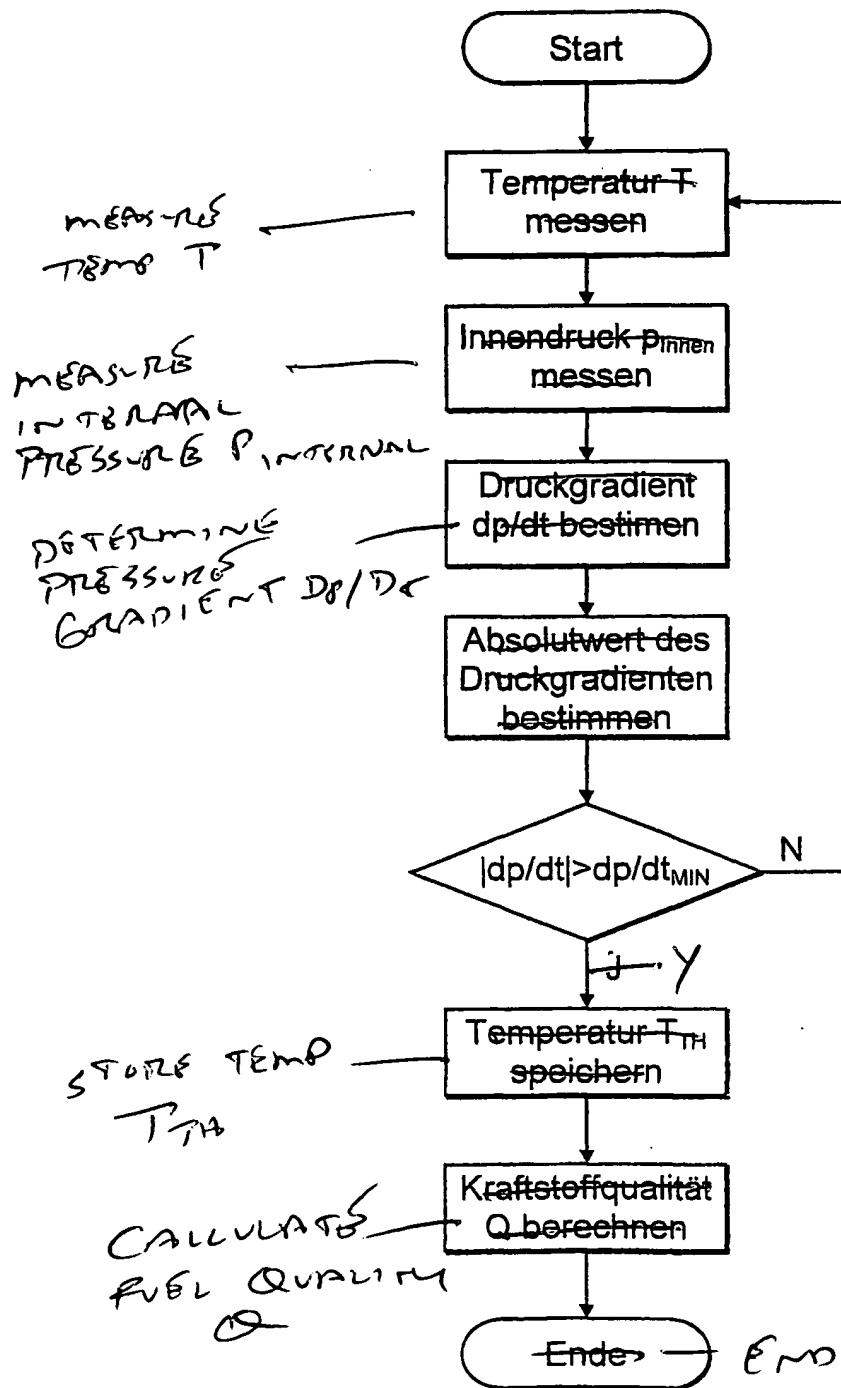


Fig. 2